

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

GABRIEL ARMAS, JUSTIN FORD and
ALFRED ROWE,

Defendants.

CASE NO. CR14-5388BHS

ORDER

This matter comes before the Court on the parties' Stipulated Motion to Continue Trial Date and Deadline to File Pretrial Motions. The Court, having considered the stipulated motion and the Defendants' speedy trial waivers, makes the following findings of fact and conclusions of law:

1. The government has produced hundreds of pages of discovery to defense counsel, which includes, but is not limited to, multiple arrests, searches and seizures. Defense counsel require additional time to review this discovery, as well as to inspect physical evidence seized or obtained through this investigation, which is currently in the custody of law enforcement.

2. The defense needs additional time to explore all relevant issues and defenses applicable to the case, which would make it unreasonable to expect adequate preparation for

1 pretrial proceedings or for trial itself within the time limits established by the Speedy Trial Act
2 and currently set for this case. 18 U.S.C. § 3161(h)(7)(B)(ii).

3 3. Taking into account the exercise of due diligence, a continuance is necessary to allow
4 the defendant the reasonable time for effective preparation his defense, to explore resolution of
5 this case before trial and to substantially ensure continuity of defense counsel. 18 U.S.C. §
6 3161(h)(7)(B)(iv).

7 4. Proceeding to trial absent adequate time for the defense to prepare would result in a
8 miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(i).

9 5. The ends of justice served by granting this continuance outweigh the best interests of
10 the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A) and (B).

11 6. Defendants Justin Ford and Alfred Rowe waived speedy trial through March 31,
12 2015; Defendant Gabriel Armas is expected to file a speedy trial waiver consistent with the new
13 trial date.

14 NOW, THEREFORE, IT IS HEREBY ORDERED

15 That the trial date is continued from October 14, 2014, to March 17, 2015, at 9:00 a.m.
16 Pretrial Conference is set for March 9, 2015, at 11:00 a.m. Pretrial motions are due by February
17 10, 2015. The resulting period of delay from September 22, 2014, to March 17, 2015, is hereby
18 excluded for speedy trial purposes under 18 U.S.C. § 3161(h)(7)(A) and (B)

19 Dated this 30th day of September, 2014.

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21 BENJAMIN H. SETTLE
22 United States District Judge